

A BYLAW OF THE CITY OF VICTORIA

The purposes of this Bylaw are to amend the Zoning Regulation Bylaw by creating the R3-AM-5 Zone, Mid-Rise Multiple Dwelling (Fort) District, and to rezone land known as 1201 Fort Street and 1050 Pentrelew Place from the R1-B Zone, Single Family Dwelling District and the R3-AM-2 Zone, Mid-Rise Multiple Dwelling District, to the R3-AM-5 Zone, Mid-Rise Multiple Dwelling (Fort) District.

The Council of The Corporation of the City of Victoria enacts the following provisions:

- 1 This Bylaw may be cited as the “ZONING REGULATION BYLAW, AMENDMENT BYLAW (NO. 1140)”.
- 2 Bylaw No. 80-159, the Zoning Regulation Bylaw, is amended in the Table of Contents of Schedule “B” under the caption PART 3 – MULTIPLE DWELLING ZONES by adding the following words:

“3.117 R3-AM-5, Mid-Rise Multiple Dwelling (Fort) District”
- 3 The Zoning Regulation Bylaw is also amended by adding to Schedule B after Part 3.116 the provisions contained in Schedule 1 of this Bylaw.
- 4 The following lands, which are shown hatched on the map attached as Schedule 2, are removed from the R1-B Zone, Single Family Dwelling District and the R3-AM-2 Zone, Mid-Rise Multiple Dwelling District, and placed in the R3-AM-5 Zone, Mid-Rise Multiple Dwelling (Fort) District:
 - (a) 1201 Fort Street, legally described as Lot A, Fairfield Farm Estate and Spring Ridge, Victoria City, Plan 40449
 - (b) 1050 Pentrelew Place, legally described as Amended Lot 32 (DD E20888), Fairfield Farm Estate, Victoria City, Plan 3866 Except Part in Plan VIP67309

READ A FIRST TIME the	22nd	day of	March	2018
READ A SECOND TIME the	22nd	day of	March	2018
Public hearing held on the		day of		2018
READ A THIRD TIME the		day of		2018
ADOPTED on the		day of		2018

CITY CLERK

MAYOR

PART 3.117 – R3-AM-5 ZONE, MID-RISE MULTIPLE DWELLING (FORT) DISTRICT

3.117.1 Development Areas

This Zone is divided into Development Areas A, B and C, as shown on the map attached as Appendix A.

3.117.2 General Regulations

- a. The regulations contained in Parts 3.117.3 to 3.117.7 apply to all Development Areas
- b. The regulations contained in Parts 3.117.8 to 3.117.9 apply to Development Area A
- c. The regulations contained in Parts 3.117.10 to 3.117.11 apply to Development Area B
- d. The regulations contained in Parts 3.117.12 to 3.117.13 apply to Development Area C

3.117.3 Permitted Uses in this Zone

- a. The following uses are permitted in all Development Areas:
 - i. Attached dwelling
 - ii. Home occupation subject to the regulations in Schedule “D”
- b. In addition to the above uses, the following use is permitted in Development Areas A and B:
 - i. Multiple dwelling

3.117.4 Lot Area, Site Coverage, Open Site Space

- | | |
|-------------------------------------|--------------------|
| a. <u>Lot area</u> (minimum) | 7850m ² |
| b. <u>Site coverage</u> (maximum) | 40% |
| c. <u>Open site space</u> (minimum) | 58% |

PART 3.117 – R3-AM-5 ZONE, MID-RISE MULTIPLE DWELLING (FORT) DISTRICT

3.117.5 Community Amenities

As a condition of additional density pursuant to Part 3.117.6, all of the following amenities must be provided as community amenities:

- a. Registration of a 2.4m wide statutory right of way for a public pathway connecting Fort Street to Pentrelew Place
- b. Registration of a 2.5m wide statutory right of way from Fort Street running at least 40m along the west lot line for a future public pathway
- c. Registration of section 219 covenants for construction and maintenance of the above public pathways
- d. Registration of a legal agreement preventing any strata corporation from passing bylaws that would prohibit or restrict the rental of dwelling units to non-owners in perpetuity
- e. Registration of a legal agreement securing:
 - i. no less than ten dwelling units as affordable housing units on this site or another site within the City of Victoria in perpetuity, and
 - ii. that if any of the affordable housing units are not secured in accordance with paragraph (i), a monetary contribution of \$25,000 per unit that is not secured will be provided to the Victoria Housing Reserve Fund

3.117.6 Floor Space Ratio

- a. Floor space ratio where the amenities have not been provided pursuant to Part 3.117.5 (maximum) 1.00:1
- b. Floor space ratio where the amenities have been provided pursuant to Part 3.117.5 (maximum) 1.29:1
- c. Up to 165m² of floor area dedicated for use as bicycle parking shall be excluded from the calculation of floor area in Parts 3.117.5 a and b

3.117.7 Vehicle and Bicycle Parking

- a. Vehicle parking (minimum) Subject to the regulations in Schedule “C”
- b. Bicycle parking (minimum) Subject to the regulations in Schedule “C”

Words that are underlined see definitions in Schedule “A” of the Zoning Regulation Bylaw

PART 3.117 – R3-AM-5 ZONE, MID-RISE MULTIPLE DWELLING (FORT) DISTRICT

Development Area A

3.117.8 Height, Storeys

- | | |
|---|--------|
| a. Principal <u>building height</u> (maximum) | 12.00m |
| b. <u>Storeys</u> (maximum) | 6 |

3.117.9 Setbacks, Projections

- | | |
|--|-------------------------------------|
| a. <u>Setback</u> from Fort Street (minimum) | 10.50m |
| Except for the following maximum projections into the setback: | |
| • Steps less than 1.7m in <u>height</u> | 2.80m |
| • Canopy | 2.25m |
| b. <u>Setback</u> from west <u>lot line</u> (minimum) | One half the <u>building height</u> |
| Except for the following maximum projections into the setback: | |
| • Balconies | 1.60m |
| c. <u>Setback</u> from east <u>lot line</u> (minimum) | 17.00m |

Development Area B

3.117.10 Height, Storeys

- | | |
|---|--------|
| a. Principal <u>building height</u> (maximum) | 12.00m |
| b. <u>Storeys</u> (maximum) | 4 |

3.117.11 Setbacks, Projections

- | | |
|--|------------------------------|
| a. <u>Setback</u> from south <u>lot line</u> (minimum) | 11.70m |
| b. <u>Setback</u> from west <u>lot line</u> (minimum) | One half the building height |
| Except for the following maximum projections into the setback: | |
| • Balconies | 2.1m |

Words that are underlined see definitions in Schedule “A” of the Zoning Regulation Bylaw

PART 3.117 – R3-AM-5 ZONE, MID-RISE MULTIPLE DWELLING (FORT) DISTRICT

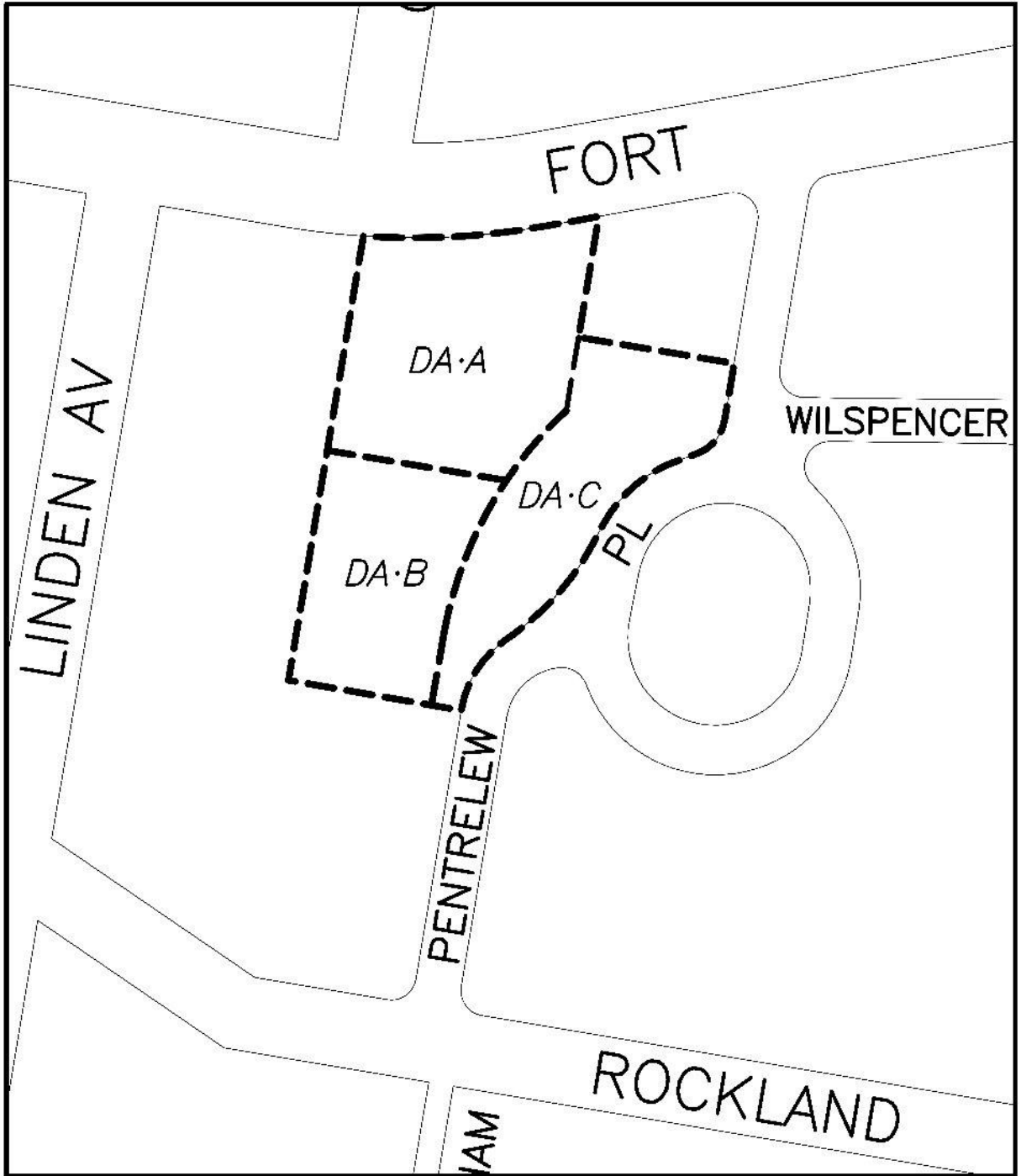
Development Area C

3.117.12 Height, Storeys

- | | |
|---|-------|
| a. Principal <u>building height</u> (maximum) | 7.60m |
| b. <u>Storeys</u> (maximum) | 2 |

3.117.13 Setbacks, Projections

- | | |
|---|-------|
| a. <u>Setback</u> from Pentrelew Place (minimum) | 4.20m |
| Except for the following maximum projections into the setback: | |
| • Steps and porches less than 1.7m in <u>height</u> | 1.50m |
| b. <u>Setback</u> from north interior <u>lot line</u> (minimum) | 3.00m |



Appendix A
Development Areas

R3-AM-5, Mid-Rise Multiple Dwelling (Fort) District



